

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Matt Herron et al.

Application No.: 09/981,347

Examiner: Michael L. Lindinger

Filed: October 15, 2001

Art Unit: 2841

Attorney Docket No.: 005716.P001

For: A METHOD AND APPARATUS TO
RECEIVE SELECTED AUDIO
CONTENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Response to Notice Regarding Drawings

In response to the Notice Regarding Drawings mailed June 8, 2004, Applicant hereby submits formal drawings for Figures 1-3 which correct the informalities according to the Draftsperson's Review form 948. Figures 1-3 comprise three (3) sheets and three (3) figures for the above-identified application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on July 29, 2004.

Esther L. Campbell

(Typed or printed name of person mailing correspondence)

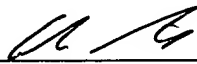
(Signature of person mailing correspondence)

If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: July 29, 2004



André Gibbs
Reg. No. 47,593

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300



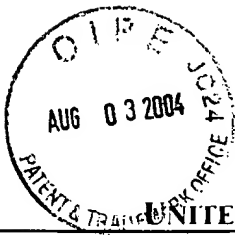
IFW
B 95

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/981,347
		Filing Date	October 15, 2001
		First Named Inventor	Matt Herron
		Art Unit	2841
		Examiner Name	Michael L. Lindinger
Total Number of Pages in This Submission	10	Attorney Docket Number	5716P001

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Notice Regarding Drawings (2 pgs.), Response to Notice Regarding Drawings (2 pgs.), Submission of Revised Drawings (1 pg.), and Return Receipt Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Andre M. Gibbs, Reg. No. 47,593 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 29, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Esther L. Campbell		
Signature		Date	July 29, 2004



AMG RECEIVED
JUN 14 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
LOS ANGELES

OUTBURST TECH.

APPLICATION NUMBER 09/981347	FILING/RECEIPT DATE 10/15/2001	FIRST NAMES APPLICANT HERRON, MATTHEW ALLISON	ATTORNEY DOCKET NUMBER 05716.P001
---------------------------------	-----------------------------------	--	--------------------------------------

James H. Salter
Blakely, Sokoloff, Taylor & Zafman LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles CA 90025-1030

Examiner
LINDINGER, MICHAEL

Art Unit
2841

Paper Number

Date Mailed: 06-08-04

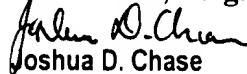
Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on 6-18-02 are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b). Failure to take corrective action within the set period will result in abandonment of the application.**

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450


Joshua D. Chase

Office of Patent Publication,
Publishing Division
703-305-8404

**NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW**The drawing(s) filed (insert date) 6-18-02 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
 B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

- ☐ Color drawings are not acceptable until petition is granted. Fig(s) _____
☐ Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

- ☐ One (1) full-tone set is required. Fig(s) _____
☐ Photographs may not be mounted. 37 CFR 1.84(e)
☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____
☐ Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(e)

- ☐ Paper not flexible, strong, white, and durable. Fig(s) _____
☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

- 21.0 cm by 29.7 cm (DIN size A4) or
 21.6 cm by 27.9 cm (8 1/2x 11 inches)
☐ All drawing sheets not the same size. Sheet(s) _____

☐ Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

- Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm
☐ Margins not acceptable. Fig(s) _____
☐ Top (T) ☐ Left (L)
☐ Right (R) ☐ Bottom (B)

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

- ☐ Views not labeled separately or properly. Fig(s) _____

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

- ☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

- ☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

- ☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

- ☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) _____

11. SHADING. 37 CFR 1.84(m)

- ☐ Solid black areas pale. Fig(s) _____
☒ Solid black shading not permitted. Fig(s) 1, 3

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

- ☐ Numbers and reference characters not plain and legible. Fig(s) _____
☒ Figure legends are poor. Fig(s) 1-3
☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____
☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____
☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

- ☐ Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS.

37 CFR 1.84(t)

- ☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

- ☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

- ☐ Surface shading shown not appropriate. Fig(s) _____
☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

Reviewer J. CHASE

If you have questions, call (703) 305-8404.

Date 6-8-04

Attachment to Paper No. _____